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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,757	04/30/2001	Brian Murren	345708001US	3455

28062	7590	02/08/2005

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EXAMINER
QUELER, ADAM M

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-49* is/are pending in the application.

    4a) Of the above claim(s) *11-24 and 40-49* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) *1-10 and 25-40* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *30 April 2001* is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: Election filed 09/30/2004.

2.   Claims 1-49 are pending in the case. Claims 11-24 and 41-49 are withdrawn. Claims 1,

25 and 35 are actively pending independent claims.

Election/Restrictions

3.   Applicant's election without traverse of Group I, claims 1-10 and 25-40 in the reply filed

on 9/30/2004 is acknowledged.

Drawings

4.   **The drawings are objected to because they appear to be of an informal nature.**

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office

action to avoid abandonment of the application. Any amended replacement drawing sheet should

include all of the figures appearing on the immediate prior version of the sheet, even if only one

figure is being amended. The figure or figure number of an amended drawing should not be

labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be

removed from the replacement sheet, and where necessary, the remaining figures must be

renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement

Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the

drawing figures. If the changes are not accepted by the examiner, the applicant will be notified

and informed of any required corrective action in the next Office action. The objection to the

drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

5.   ·The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   **Claims 1, 2, 4, 7-10, 25-26, 28 and 31-40 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Lakritz (US006623529B1, filed 1/28/1999).

Regarding independent claim(s) 1, Lakritz teaches identifying that a statement can be

customized and replacing it with a custom command (col. 26, ll. 25-30). Inherently the

statement must be retrieved. Lakritz teaches storing content in a customized content bundle with

an identifier (col. 29, ll. 5-42). Lakritz teaches replacing an insert content command having a

content identifier with the content from the custom content bundle (col. 31, ll. 15-23). Lakritz

does not explicitly disclose the storing of the content in the custom content bundle and replacing

the content with the include command. However, this would have been obvious to one of

ordinary skill in the art at the time of the invention. Lakritz suggests these steps because it

teaches replacing content with a custom command (col. 26, ll. 25-30), including the replace

command (col. 31, ll. 15-23). The replace command has a TermDB, or custom content bundle

associated with it, and therefore, for the document to maintain the same semantic meaning, the

content must be in the custom content bundle. For example, in the cited portions above,

exemplified by col. 27, ll. 40-49, the replaced content would be the word "Hello," which is in the

custom content bundle (col. 27, ll. 46-47), and "hello" is replaced by "`<!--WPReplaceBegin--`

`>hello<!--WPReplaceEnd-->`", the insert command (col. 27, ll. 41).

Regarding independent claim(s) 25, the system for performing substantially the same method of claim 1 is rejected under the same rationale.

Regarding independent claim(s) 35, Lakritz teaches identifying and determining that a statement can be customized and replacing it with a custom command (col. 26, ll. 25-30). Inherently the statement must be retrieved. Lakritz teaches storing content in a customized content bundle with an identifier (col. 29, ll. 5-42). Lakritz does not explicitly disclose the storing of the content in the custom content bundle and replacing the content with the include command. However, this would have been obvious to one of ordinary skill in the art at the time of the invention. Lakritz suggests these steps because it teaches replacing content with a custom command (col. 26, ll. 25-30), including the replace command (col. 31, ll. 15-23). The replace command has a TermDB, or custom content bundle associated with it, and therefore, for the document to maintain the same semantic meaning, the content must be in the custom content bundle. For example, in the cited portions above, exemplified by col. 27, ll. 40-49, the replaced content would be the word "Hello," which is in the custom content bundle (col. 27, ll. 46-47), and "hello" is replaced by "`<!--WPReplaceBegin-->hello<!--WPReplaceEnd-->`", the insert command (col. 27, ll. 41).

Regarding dependent claim(s) 2, 26 and 36, Lakritz teaches the program is a server executable web page and the statements are tags (col. 2, ll. 15-26).

Regarding dependent claim(s) 4 and 28, Lakritz teaches that tags are HTML tags (col. 27, ll. 41).

Regarding dependent claim(s) 7, 31 and 37, Lakritz teaches the content is text (col. 26, ll. 25-30).

Regarding dependent claim(s) 8, 32, and 38, Lakritz teaches language customization (col. 29,

ll. 5-42).

Regarding dependent claim(s) 9, 33, 39, Lakritz teaches replacing a different custom content

then was initially replaced (col. 27, ll. 50-55).

Regarding dependent claim(s) 10, 34, 40, Lakritz teaches the custom content represents content

in different languages (col. 27, ll. 50-55).

7.   **Claims 3, 5, 6, 27, 29, and 30 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Lakritz as applied to claims 1, 35 and 35 above, and further in view of

Pereira et al., "Java Server Pages 1.2", (C) 2000, found at www.bits-

pilani.ac.in/~fx/fxjspbasics.pdf.

Regarding dependent claim(s) 3 and 27, Lakritz does not explicitly teach that the tags are

custom JSP tags. Pereira teaches using JSP (p. 29). It would have been obvious to one of

ordinary skill in the art at the time of the invention to use JSP, therefore having custom JSP tags,

as it would have been easy to maintain for large projects (p. 29).

Regarding dependent claim(s) 5 and 29, Lakritz does not explicitly teach using JSP. Pereira

teaches using JSP (p. 29). It would have been obvious to one of ordinary skill in the art at the

time of the invention to use JSP, therefore having custom JSP tags, as it would have been easy to

maintain for large projects (p. 29).

Regarding dependent claim(s) 6 and 30, Lakritz does not explicitly teach that the page is ASP.

Pereira teaches using ASP (p. 29). It would have been obvious to one of ordinary skill in the art

at the time of the invention to use ASP, as it is simple to use (p. 29).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's
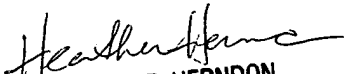
disclosure.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Adam M Queler whose telephone number is (571) 272-4140.

The examiner can normally be reached on Monday-Friday.

     If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather R Herndon can be reached on (571) 272-4136. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

     Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AQ

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